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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,424	07/25/2003	Mark Bender	P03,0267	2348
26574	7590	12/28/2005	EXAMINER	
SCHIFF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			BLAKE, CAROLYN T	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,424

Applicant(s)

BENDER, MARK

Examiner

Carolyn T. Blake

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's amendment received on October 11, 2005.
2. The text of those sections in Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1, 2, 10, 11, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daley (1,962,431) in view of Jenkins et al (5,406,243).

Regarding claim 1, 16, and 17, Daley discloses a method for manufacturing a straight strip lamination (5) with a press, comprising the steps of: providing in the press a die (18) comprising a main slot punch (39), a separator punch (72), and a part feature punch (40). Daley fails to disclose activating and deactivating the punches as claimed. However, Jenkins et al discloses a method for manufacturing a straight strip lamination with a press wherein a single punch is activated and deactivated (see stage 1 in FIG 1). This reduces the number of punches needed because the single punch is able to create different distances between features. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to create the Daley laminations by decreasing the number of punches, and then activating and deactivating those punches, as disclosed by Jenkins et al, for the purpose of creating a desired product without complex machinery. . Note: The reduced number of punches would create the need for different step distances in order to create the same work product.

Regarding claim 2, Daley discloses feeding the strip (15) with said first same step distance and stamping with the slot (39) and separator (72) punches.

Regarding claim 10, Daley discloses the step of providing the slot punch (39) so that teeth are formed in two parallel strips.

Regarding claim 11, Daley discloses the step of providing the die beginning at a strip entrance end with the slot punch (39), followed by the part feature punch (40). Which is then followed by the separator punch (72).

4. Claims 3-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daley in view of Jenkins et al as applied to claim 1 above, and further in view of Raschbichler (4,728,382).

Regarding claims 3-5 and 9, the Daley-Jenkins et al combination fails to disclose a cut off end contour punch. However, Raschbichler discloses a method for manufacturing a straight strip lamination wherein the punch comprises a cut off end contour punch. See contour end (18') in FIG 2. The cut off end contour disclosed is useful in connecting strip ends. In addition, the attributes of the strip lamination are located at different distances from one another, and thus would require different step distances. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a cut off end contour punch and to have the fourth step distance different from the first, second, and third step distances, as disclosed by Raschbichler, with the Daley-Jenkins et al combination for the purpose of manufacturing motor straight strip laminations.

Regarding claim 6, the Daley-Jenkins et al combination fails to disclose the part feature is a T-slot. However, Raschbichler discloses the part feature is a T-slot (23). The T-slot provides a stronger connection to another device than the notch disclosed by Daley. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a T-slot, as disclosed by Raschbichler, on the Daley-Jenkins et al combination because a T-slot acts as a connector.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daley in view of Jenkins et al as applied to claim 1 above, and further in view of Applicant's admitted prior art (hereafter, AAPA). The Daley-Jenkins et al combination fails to disclose pinch rollers and a servomotor. However, AAPA discloses pinch rollers and a servomotor are useful in advancing the strip to be punched. See page 4, lines 12-22 of the disclosure. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide pinch rollers and a servomotor, as disclosed by AAPA, with the Daley-Jenkins et al combination for the purpose of advancing the strip to be punched.

6. Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daley in view of Jenkins et al as applied to claim 1 above, and further in view of Asao et al (6,147,431). The Daley-Jenkins et al combination fails to disclose coiling the strip. However, Asao et al disclose the step of coiling a strip. See col. 1, lines 29-30. Coiling the strip allows the strip to be used on a stator case and implemented in a motor. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the step of coiling a strip, as disclosed by Asao et al,

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with the Daley-Raschbichler combination for the purpose of implementing the strip in a motor.

7. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daley as applied to claim 11 above, and further in view of Raschbichler. Daley fails to disclose a cut-off end contour punch. However, Raschbichler discloses a method for manufacturing a straight strip lamination wherein the punch comprises a cut off end contour punch. See contour end (18') in FIG 2. The cut off end contour disclosed is useful in connecting strip ends. In addition, the attributes of the strip lamination are located at different distances from one another, and thus would require different step distances. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a cut off end contour punch and to have the fourth step distance different from the first, second, and third step distances, as disclosed by Raschbichler, with the Daley-Jenkins et al combination for the purpose of manufacturing motor straight strip laminations.

8. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daley in view of Jenkins et al, and further in view of Applicant's admitted prior art (hereafter, AAPA). Daley discloses a method for manufacturing a straight strip lamination (5) with a press, comprising the steps of: providing in the press a die (18) having in a direction of strip feed at least a slot punch (39), followed by a part feature punch (40), which is followed by a separator punch (72), and punching out the lamination by use of said die. Daley fails to disclose using different step distances. However, Jenkins et al discloses a method for manufacturing a straight strip lamination with a press wherein a single punch

is activated and deactivated. This reduces the number of punches needed because the single punch is able to create different distances between features. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to create the Daley laminations by decreasing the number of punches, and then activating and deactivating those punches, as disclosed by Jenkins et al, for the purpose of creating a desired product without complex machinery. Note: The reduced number of punches would create the need for different step distances in order to create the same work product. The Daley-Jenkins et al combination fails to disclose a servomotor. However, AAPA discloses a servomotor is useful in advancing the strip to be punched. See page 4, lines 12-22 of the disclosure. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a servomotor, as disclosed by AAPA, with the Daley-Jenkins et al combination for the purpose of advancing the strip to be punched.

Response to Arguments

9. Applicant's arguments filed October 11, 2005 have been fully considered but they are not persuasive.

Applicant has not provided any limitations that read over the basic combination of Daley in view of Jenkins et al. Applicant appears to be arguing a full feature manufacturing while ignoring the broad idea claimed and taught by these two references which would have been obvious to one of ordinary skill in the art.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CB

December 23, 2005



Allan N. Shoap
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